REMARKS

Claims 1-44 are currently pending in the above-referenced patent application. Claim 26 has been amended by way of the present Amendment.

In the Office Action: Claim 26 was rejected under 35 U.S.C. § 112, second paragraph. Claims 1-4, 13-22, 25, 34, 37, and 40-44 were rejected under 35 U.S.C. § 102(e) as being anticipated by Widegren et al. (U.S. Patent No. 6,374,112). Claims 5-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. Claims 23-24, 26-27, and 35-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. in view of Manning et al. (U.S. Patent No. 6,519,266). Claims 28-33 and 38-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Widegren et al. in view of Wallentin et al. (U.S. Patent No. 6,347,091).

In reply to the rejection of claim 26 under 35 U.S.C. § 112, second paragraph, the Applicants respectfully request reconsideration. Claim 26 has been amended to recite a "dedicated traffic channel." This Amendment is to correct an obvious typographical error and is therefore not a narrowing amendment.

In reply to the rejection of claims 1-4 under 35 U.S.C. § 102(e) as being anticipated by Widegren et al., the Applicants respectfully request reconsideration. These claims recite "...attach logical channel types...to a media access control header..."

Widegren et al. (U.S. Patent No. 6,374,112) has a filing date of April 1, 1999 and claims the benefit of U.S. Provisional Application No. 60/080,548, which was filed on April 3, 1998.

16

The present application was filed on September 29, 1999 and claims priority to Korean Patent Application No. 41481/1998. Korean Patent Application No. 41481/1998 was filed on October 1, 1999. As an Appendix, the Applicants have attached the certified translation of Korean Patent No. 41481/1998. Accordingly, the Applicants respectfully submit that the claim for foreign priority has been perfected. Accordingly, the disclosure of Widegren et al. (U.S. Patent No. 6,374,112) is only prior art to the extent it is supported under 35 U.S.C. § 112, first paragraph by Provisional Application No. 60/080,548. As a convenience, the Applicants have attached, as an Appendix, a copy of Provisional Application No. 60/080,548. Hereinafter, the Applicants will only refer to Provisional Application No. 60/080,548, because only disclosure in the Provisional application, which is supported in U.S. Patent No. 6,374,112, is prior art.

Provisional Application No. 60/080,548 relates to radio access in a universal mobile telephone system (UMTS). However, unlike the recitations of claims 1-4, there is no disclosure in 60/080,548 to "...attach logical channel types...to a media access control header..." In fact, there is no disclosure in 60/080,548 of "a media access control header". At least for this reason, a *prima facie* case of anticipation has not been established in the rejection of claims 1-4 under 35 U.S.C. § 102.

In reply to the rejection of claims 13-17 under 35 U.S.C. § 102(e) as being anticipated by Widegren et al., the Applicants respectfully request reconsideration. These claims recite "...to attach logical channel types...to a media access control header..." Widegren et al. has been discussed above. For similar reasons as discussed above, Widegren et

al. (Provisional Application No. 60/080,548) does not disclose "...to attach logical channel types...to a media access control header..." At least for this reason, a *prima facie* case of anticipation has not been established.

In reply to the rejection of claims 18-22, 25, 34, 37, and 40-44 under 35 U.S.C. § **102(e) as being anticipated by Widegren et al. the Applicants respectfully request** **reconsideration.** These claims recite "...mapping between logical channels and transport channels..."

Widegren et al. (Provisional Application No. 60/080,548) has been discussed above. However, unlike the recitations of claims 18-22, 25, 34, 37, and 40-44, there is no disclosure of "...mapping between logical channels and transport channels..." In lines 22-23 on page 31 of Provisional Application No. 60/080,548 it is stated that "...various types of bearer services are mapped by the logical link layer and RLC/MAC layer onto physical W-CDMA radio channels." However, this disclosure is different from "...mapping between logical channels and transport channels...", as recited in claims 18-22, 25, 34, 37, and 40-44. In fact, there is no disclosure of transport channels in Widegren et al. (60/080,548). At least for these reasons, a *prima facie* case of anticipation under 35 U.S.C. § 102 has not been established.

In reply to the rejection of claims 5-12 under 35 U.S.C. § 103(a) as being **unpatentable over Widegren et al., the Applicants respectfully request** **reconsideration.** These claims comprise the same recitations as discussed above for claims

1-4. As discussed above, Widegren et al. (Provisional Application No. 60/080,548) does not

disclose "...attach logical channel types...to a media access control header..." Accordingly,

Widegren et al. (Provisional Application No. 60/080,548) does not teach or suggest all the

recitations of claims 5-12. At least for this reason, a *prima facie* case of obviousness has not

been established under 35 U.S.C. § 103.

In reply to the rejection of claims 23-24, 26-27, and 35-36 under 35 U.S.C. §

103(a) as being unpatentable over Widegren et al. in view of Manning et al., the

Applicants respectfully request reconsideration. These claims comprise the same

recitations as discussed above for claims 18-22, 25, 34, 37, and 40-44. As discussed above,

Widegren et al. (Provisional Application No. 60/080,548) does not disclose "...mapping

between logical channels and transport channels..."

Manning et al. (U.S. Patent No. 6,519,266) relates to layering of wireless packet data

service. Manning et al. (U.S. Patent No. 6,519,266) was filed on December 22, 1998 and

claims the benefit of Provisional Application No. 60/070,407, filed on January 5, 1998. The

present application has perfected foreign priority date of October 1, 1998. Accordingly, only

the disclosure in Manning et al. (U.S. Patent No. 6,519,266) that is supported by Provisional

Application No. 60/070,407 under 35 U.S.C. § 112, first paragraph is prior art. A copy of

Provisional Application No. 60/070,407 is attached as an Appendix.

Unlike the recitations of claims 23-24, 26-27, and 35-36, there is no disclosure in

Manning et al. (Provisional Application No. 60/070,407) of "...mapping between logical

channels and transport channels..." On pages 10 and 23 of Provisional Application No.

60/070,407 there is disclosure of "logical to physical channel mapping". However, logical to

physical channel mapping is unlike "...mapping between logical channels and transport

channels..." In fact, there is no disclosure of transport channels in Provisional Application

No. 60/070,407. At least for these reasons, a *prima facie* case of obviousness has not been

established under 35 U.S.C. § 103.

**In reply to the rejection of claims 28-33 and 38-39 under 35 U.S.C. § 103(a) as

being unpatentable over Widegren et al. in view of Wallentin et al., the Applicants

respectfully request reconsideration.** These claims comprise the same recitations as

discussed above for claims 18-22, 25, 34, 37, and 40-44. As discussed above, Widegren et al.

(Provisional Application No. 60/070,407) does not disclose ...mapping between logical

channels and transport channels..."

Wallentin et al. (U.S. Patent No. 6,347, 091) relates to a method and apparatus for

dynamically adapting a connection state in a mobile communication system. Wallentin et al.

(U.S. Patent No. 6,347,091) was filed on November 6, 1998, and is a continuation-in-part of

application No. 09/099,773, which was filed on June 19, 1998. The filing date of Wallentin

et al. (U.S. Patent No. 6,347,091) is after the perfected priority date of the present

application. Accordingly, Wallentin et al. (U.S. Patent No. 6,347,091) is only prior art to the

extend it is supported under 35 U.S.C. § 112, first paragraph by application Serial No.

09/099,773. Patent Application Serial No. 09/099,773 issued as Wallentin et al. (U.S. Patent

No. 6,594,238). Hereinafter, Wallentin et al. will be referred only to U.S. Patent No.

6,594,238, as only the disclosure of this patent is prior art.

Wallentin et al. (U.S. Patent No. 6,594,238) contains no disclosure of "…mapping

between logical channels and transport channels…" At least for this reason, the disclosure

Wallentin et al. (U.S. Patent No. 6,594,238) does not alleviate the deficiencies of the

disclosure of Widegren et al. (Provisional Application No. 60/080,548). At least for these

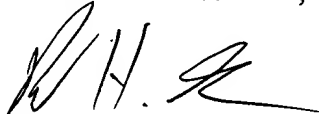reasons, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Daniel H. Sherr, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP

Daniel Y.J. Kim
Registration No. 36,186
Daniel H. Sherr
Registration No. 46,425

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 502-9440 DYK/DHS:tljw
Date: November 28, 2003

Please direct all correspondence to Customer Number 34610